

R12-4-422. Sport Falconry License

A. For the purposes of this Section, the following definitions apply:

1. "Eyas" means a flightless raptor that is found in the nest and is dependent upon a parent bird for food.
2. "Form 3-186A" means U.S. Fish and Wildlife Service Migratory Bird Acquisition and Disposition Report, Form 3-186A, dated July 1999, not including any later revisions. This form is incorporated by reference. A copy of the incorporated form is on file with the Secretary of State and available from the U.S. Fish and Wildlife Service, Migratory Bird Permit Office, P.O. Box 709, Albuquerque, New Mexico, 87103-0709, and all Arizona Game and Fish Department Regional offices.
3. "Passage" means a raptor in immature plumage, capable of flight and able to hunt and obtain its own food, and which is less than 1 year of age.
4. "Raptor" means a live bird of the order Falconiformes or the order Stringiformes, other than a bald eagle (*haliaeetus leucocephalus*), which under the provisions of this rule may be used in the practice of falconry;
5. "Sponsor" means a licensed Class II or Class III falconer who agrees to supervise and instruct no more than three Class I falconers in the practice of falconry at any one time.

B. An Arizona resident possessing any raptor for the purpose of sport falconry shall possess an Arizona Sport Falconry License. An Arizona resident possessing a raptor not listed in 50 CFR 10.13 for a purpose other than sport falconry is not required to possess an Arizona Sport Falconry License. Visiting nonresident falconers licensed in their state of residency are exempted under R12-4-407.

C. The Department shall inspect the raptor housing facilities and equipment of any applicant not previously licensed in Arizona, and determine that the facilities and equipment meet the requirements of this rule, before issuing a license to the applicant. A license is valid from the date it is issued by the Department until the third December from the date of issue. The Department shall issue a Sport Falconry License to an applicant who complies with application procedures in this rule and meets the following criteria:

1. For a Class I Apprentice Sport Falconry License:
 - a. Is 14 years of age or older;
 - b. Has a sponsor at the time of application, and shall provide to the Department a written commitment from the sponsor to continue sponsoring the applicant for the first two years as a licensed falconer;
 - c. Answers correctly at least 80% of the questions on an examination supervised and administered by the Department and approved by the U.S. Fish and Wildlife Service, relating to basic biology, care, and handling of raptors, and other subject matter related to falconry.
2. For a Class II General Sport Falconry License:
 - a. Is 18 years of age or older;
 - b. Has at least two years of falconry experience at the Class I level, computed from the date that the applicant obtained the first Class I Apprentice Sport Falconry License.
3. For a Class III Master Sport Falconry License:
 - a. Is 23 years of age or older;

- b. Has at least five years of falconry experience at the Class II level, computed from the date that the applicant obtained the first Class II General Sport Falconry License.
- D. Any new resident shall make application for an Arizona Sport Falconry License within 30 days of importing any raptor possessed by the authority of a license authorizing falconry issued by another lawful jurisdiction. Any applicant for an Arizona Sport Falconry License shall present any raptor in possession for inspection at the time their facilities are inspected.
- E. Applicants shall provide the following information on a form available from the Department, and shall sign the completed form:
 - 1. Name, address, and telephone number;
 - 2. Physical description and date of birth;
 - 3. Valid Arizona hunting license number and identification number;
 - 4. The Sport Falconry License classification desired. Class I applicants shall supply their sponsor's name and address on the form;
 - 5. The number of raptors the applicant possesses at the time of application and the species; age, if known; sex, if known; band numbers (if banded); date of acquisition; and source of each.
- F. A Class I licensee may possess only one raptor at a time; the raptor may be lawfully obtained in another state. The Class I licensee shall obtain all birds from the wild and shall not obtain more than one raptor for replacement purposes during any 12-month period. A Class I licensee shall not take an eyas bird.
- G. A Class II licensee shall not possess more than two raptors at a time. The raptors may be any species except a golden eagle or a species listed as endangered or threatened. A Class II licensee shall not obtain more than two raptors during any 12-month period.
- H. A Class III licensee shall not possess more than three raptors at a time. The raptors may be of any species. A Class III licensee shall not obtain more than two raptors taken from the wild during any 12-month period, but may obtain raptors from other lawful sources within the three-raptor possession limit.
- I. All Sport Falconry License applicants and licensees shall provide either an indoor or outdoor housing facility with the following attributes, designed to protect the raptor from the environment, predators and undue disturbances:
 - 1. Indoor facilities.
 - a. An area large enough to allow easy access for caring for the raptors housed in the facility;
 - b. An area for each bird large enough to allow each raptor to fully extend its wings, with perches textured to prevent foot problems;
 - c. At least one window, protected on the inside by vertical bars, spaced narrower than the width of the raptor's body, and a door that can be easily closed and secured;
 - d. A well drained floor designed to permit easy cleaning;
 - e. Tethers or partitions separating each raptor, if the licensee is keeping more than one raptor in the same facility.
 - 2. Outdoor facilities.

- a. A fenced and covered enclosure with netting or wire, or roofed to protect the raptors from disturbance and attack by predators, except that perches more than 6 1/2 feet high need not be covered or roofed;
 - b. An enclosed area large enough to ensure the raptors cannot strike the fence when flying from the perch;
 - c. Protection from the sun, wind, and inclement weather for each raptor and perches which are textured to prevent foot problems.
- J. All Sport Falconry License applicants and licensees shall possess and use the following equipment:
 1. At least one pair of jesses constructed of pliable, high-quality leather or synthetic material, containing bracelets to affix to each leg of a raptor, with a grommet through which a strap passes freely so that an escaped raptor can pull the strap out of the bracelet. The licensee shall use this equipment when any raptor is flown free. Licensees may use traditional one-piece jesses on raptors only when not being flown;
 2. At least one flexible, weather-resistant leash and one strong swivel designed for falconry;
 3. At least one container, 2 to 6 inches deep and wider than the length of the raptor, for drinking and bathing for each raptor;
 4. At least one raptor perch for each raptor;
 5. A reliable scale or balance suitable for weighing the raptor or raptors, held and graduated to increments of not more than 1/2 ounce, or 15 grams.
- K. A Sport Falconry License Class I, II, or III falconer licensed in Arizona or a state recognized by the U.S. Fish and Wildlife Service as meeting federal falconry standards may capture raptors for the purpose of falconry only, in accordance with the Commission order establishing raptor capture seasons for licensed falconers. When there is reason to believe that a species of raptors may be over-harvested by nonresidents if the number of permits is not limited, the Commission shall specify the number of permits available to nonresidents in the Commission order.
 1. During capture, the licensee shall have in possession the Sport Falconry License or falconer license issued by another lawful jurisdiction, Arizona hunting license, and any required hunt permit-tag issued to that licensee.
 2. The licensee shall immediately release any nontarget raptor inadvertently captured. If the raptor is wearing a band or other marker the licensee shall report the capture and release of the marked bird to the Department, along with any identifying number and related information.
 3. The licensee shall not remove any eyas raptor from any nest unless one or more live eyas raptors remain in the nest after the removal.
 4. The licensee may capture raptors only with traps or bird nets which are unlikely to cause injury to the raptor, and shall not use mist nets, steel-jawed traps, or stupefying substances.
 5. The licensee shall ensure that all traps or nets in use are in constant attendance, and that any raptor trap or net being used is plainly identified with the licensee's name and address.
 6. The licensee shall present each captured Harris hawk, Gyrfalcon, or Peregrine falcon to the Department within five calendar days after capture. A Department

- representative shall attach a numbered band to one leg of the lawfully obtained raptor. This band shall not be removed except by an authorized official of the Department, or except as provided in this rule. Licensees shall not alter, counterfeit, or deface a band but may remove the rear tab on the band and may smooth any imperfect surface provided the integrity of the band and numbering are not affected. Raptors other than Harris Hawks, Gyrfalcons, or Peregrine falcons shall not be banded.
- L. A licensee may exhibit or use for educational display a lawfully held raptor.
 - M. Licensees may retain and exchange feathers that are molted or those feathers from raptors held in captivity that die only for purposes of repairing or replacing a broken feather with a feather.
 - N. If any raptor used in falconry incidentally kills any species of wildlife for which there is no open season or for which the season is closed, the licensee shall not take the dead wildlife into possession. The licensee shall leave the wildlife where it lies, but may allow the raptor making the kill to feed on the dead wildlife before leaving the site.
 - O. Licensees may transfer raptors taken from the wild in Arizona to an Arizona resident's federal raptor propagation license, with the concurrence of the U.S. Fish and Wildlife Service.
 - P. A licensee shall not transfer a raptor taken from the wild in Arizona to another falconer or raptor breeder licensed outside of Arizona, or export the raptor from the state, without written authorization from the Department. The Department shall not authorize exportation transactions involving more than two raptors taken from the wild in Arizona, singly or in combination, per licensee in any calendar year. The Department shall deny any request for authorization of exportation when the number or species which have been or are being exported is not in the best interest of raptor management.
 - Q. A licensee may place a raptor or raptors listed in 50 CFR Part 10.13 in temporary facilities, under the care of another licensee, for a period not to exceed 30 days, providing that the licensee completes a Form 3-186A naming the temporary caregiver as the recipient and provides the raptor to the temporary caregiver to retain at the location where the raptor is being held. A licensee possessing a non-listed raptor may place it under the care of another person without restriction.
 - R. A licensee may do one of the following when in possession of a raptor no longer used in the practice of falconry:
 - 1. Release the raptor to the wild into suitable habitat, provided that the raptor was taken from the wild in Arizona, and that all jesses, markers, or other equipment are removed, and that any federal marker is removed and returned to the Department within 10 days of release;
 - 2. Give the raptor to another licensed falconer, except as provided in subsection (P);
 - 3. Transfer the raptor to the Department;
 - 4. Sell or trade the raptor, if it is a lawfully possessed captive bred raptor marked with a seamless leg band.
 - S. Licensees changing residence to another jurisdiction may export their lawfully possessed raptors.

- T. A licensee shall transfer the carcass of a raptor listed in 50 CFR Part 10.13 to a Department office, or destroy the carcass after receiving authorization for destruction of the carcass from the Department. The licensee shall remove any federal markers prior to destroying the carcass and return the markers to the Department.
- U. A licensee shall report the escape of a raptor to the Department within five days. Any licensed falconer may recapture an escaped raptor at any time and shall notify the Department within five calendar days of the capture.
- V. Within five calendar days of acquiring a raptor for falconry purposes, or disposing of a raptor possessed under the authority of this Section, a sport falconry licensee shall submit a copy of Form 3-186A to the Department, completed and signed in accordance with the instructions on the form.
- W. A sport falconry licensee shall comply with R12-4-409.
- X. For federal requirements and permits, a sport falconry licensee shall consult applicable U.S. Fish and Wildlife Service regulations governing the possession and use of raptors.